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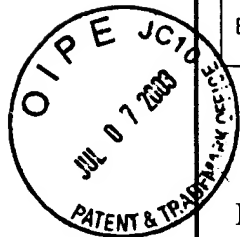
Quine Intellectual Property, PC

By: 

Paul Littlepage

Attorney Docket No: 60-019200US

Client Ref: 0192.NPUS00



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Simon Santa-Cruz

Application No.: 09/758,962

Filed: January 9, 2001

For: **EXPRESSION OF FOREIGN GENES  
FROM PLANT VIRUS VECTORS**

Examiner: Celine X. Qian #17/C

Art Unit: 1636

**AMENDMENT AND REQUEST  
FOR RECONSIDERATION**

*7/23/03*

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated February 26, 2003, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. The following documents are enclosed herewith:

- 1) A Transmittal;
- 2) A petition to extend the period of response for 2 months;
- 3) A Copy of the ATCC Receipt for Biological Deposit;
- 4) Appendix A: Marked up copy of the claims;
- 5) Appendix B: Courtesy copy of Pending Claims;
- 6) Information Disclosure Statement and Form 1449; and,
- 7) A Receipt acknowledgement postcard.

### AMENDMENT

Please amend the claims as follows, without prejudice to subsequent renewal of the claims in their original form. The amendments are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record. In accordance with the requirements of 37 C.F.R. § 1.121, a marked up version showing the changes to the claims, is attached herewith as Appendix A. For the Examiner's convenience, a complete claim set of the currently pending claims is also submitted herewith as Appendix B.

#### In the Claims:

Please amend the claims by substituting the following claims for the corresponding previously pending claims of the same number(s):

1. A recombinant plant viral vector comprising a polynucleotide, which polynucleotide comprises: an IRES nucleotide sequence, an ORF encoding a peptide of interest, and an ORF encoding a viral protein, where the IRES nucleotide sequence is located between the peptide of interest ORF and the viral protein ORF.

2. The vector according to claim 1 wherein a promoter 5' to the IRES sequence, the peptide of interest ORF, and the viral protein ORF promotes transcription of a mRNA containing said polynucleotide.

3. The vector according to claim 2 wherein the IRES nucleotide sequence is a naturally occurring IRES or a fragment of a naturally occurring IRES that can direct translation of the peptide of interest ORF or the viral protein ORF.

4. The vector according to claim 2 wherein the IRES sequence comprises a nucleotide sequence of: SEQ ID NO: 1, or a fragment of SEQ ID NO: 1, that can direct translation of the peptide of interest ORF or the viral protein ORF.

5. The vector according to claim 2 wherein the viral protein is a coat protein.

8. A host comprising a recombinant virus according to claim 7.

14. A viral vector construct according to claim 53 wherein the reporter gene encodes a green fluorescent protein.

15. A viral vector construct, comprising: a viral genome, and an IRES sequence, wherein the IRES sequence is heterologous to the viral genome, wherein the IRES sequence is